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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,377	07/12/2005	Shizuo Kitahara	4670-0107PUS1	9771

2292 7590 02/03/2011
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EXAMINER

JACKSON, MONIQUE R

ART UNIT	PAPER NUMBER
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1787

NOTIFICATION DATE	DELIVERY MODE
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02/03/2011

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/540,377

Applicant(s)

KITAHARA ET AL.

Examiner

Monique R. Jackson

Art Unit

1787

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 25-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 1787

DETAILED ACTION

1. The amendment filed 11/8/10 has been entered. Claims 1-24 and 35 have been canceled. Claims 25-34 are pending in the application. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

2. Claims 25-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vervloet (USPN 3,393,176) as evidenced by the admitted prior art (pages 1-4) or Khelghatian et al (USPN 3,682,693, entire document) in general. Vervloet teaches a process for cyclizing polyisoprene wherein the cyclized rubber is suitable in coatings, paints, printing inks and particularly in compounding with an alpha-olefin such as polypropylene to improve the possibility of dispersing a pigment into the compounded formulation as well as the dyeability of the mixture (Col. 4, lines 24-36) wherein Vervloet specifically teaches a compounded polymer mixture comprising the cyclized polyisoprene having a degree of cyclization of 50% and polypropylene in a weight ratio that reads upon the claimed range formed into a polypropylene film (Example II.) Vervloet teaches that the cyclized polyisoprene can be produced such that there is low to no gel content when the product is neutralized with an amine compound wherein Vervloet teaches example amines and added contents of the amines that read upon the claimed ratio or render the claimed ratio obvious based upon routine experimentation (Col. 3; reads upon the claimed gel content and introducing a polar amino group.) Vervloet also teaches that the degree of cyclization of the polyisoprene can be reproducibly controlled within narrow limits by suitable adjustment of catalyst and temperature level, wherein Vervloet provides example cyclorubbers that have properties that read upon those claimed (Col. 3-4; Examples.) Hence, though Vervloet teaches a

Art Unit: 1787

substrate produced by incorporating a conjugated diene polymer cyclized product into a polymer-molding material made of a non-polar hydrocarbon resin as claimed, Vervloet does not teach that the polypropylene/cyclized polyisoprene film is subjected to a dry film-forming method to provide a thin film on the surface of the film as claimed. However, it is well established in the art that polypropylene films can be subjected to a dry film coating process such as a metallization process or amorphous carbon film coating process as evidenced by Khelghatian et al (entire document) or the admitted prior art (Pages 1-4), to provide a thin metallized layer such as an aluminum layer or an amorphous carbon film layer, having a typical thickness within the claimed range, on the surface of the polypropylene film to provide improved barrier properties or a desired metallic or aesthetic appearance to the polypropylene film and hence one having ordinary skill in the art at the time of the invention would have been motivated to provide such a dry film deposited layer on the polypropylene film taught by Vervloet given the predictable results and reasonable expectation of success.

Response to Arguments

3. Applicant's arguments filed 11/8/10 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monique R. Jackson whose telephone number is 571-272-1508. The examiner can normally be reached on Mondays-Thursdays, 10:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Callie Shosho can be reached on 571-272-1123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1787

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Monique R Jackson/
Primary Examiner, Art Unit 1787
January 30, 2011